

Notice of Allowability

Application No.

10/821,788

Examiner

Alicia M. Harrington

Applicant(s)

EDELMANN, MARTIN

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 4/9/07.
2. ☒ The allowed claim(s) is/are 1-12, 14 and 16-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other fascimile - pages 1-2

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Paul Onderick on 6/19/07.

3. The application has been amended as follows:

The specification has been amended- see attached facsimile pages 1-2.


4. The following is an examiner's statement of reasons for allowance: applicant's arguments, at pages 9-10, was considered and found persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Harrington whose telephone number is 571 272 2330. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571 272 2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Alicia M Harrington
Primary Examiner
Art Unit 2873

AMH

facsimile p. 1

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Attorney Docket 3081.66US01

Please replace the paragraph at Page 6, Line 16 with the following:

As is evident from the optical ray paths indicated by way of example, the image-generating unit 1 generates a polychromatic image which is projected at the desired virtual image width (here, for example, at infinity) into the observer's eye, wherein the entrance pupil of the eye is designated by the reference numeral 9. In the depicted embodiment, the first partial optics 2 have a first optical axis and the second partial optics 3 have a second optical axis. The first optical axis is substantially laterally displaced from and substantially parallel to the second optical axis. The diffractive optical unit of the first partial optics 2 deflects light to the diffractive optical unit of the second partial optics 3. For this purpose, the first line grating 6 is provided such that the first order of diffraction indicated generates the desired deflection in the direction toward the second partial optics 3. In this case, the line grating 6 is optimized such that the highest diffraction efficiency is concentrated in the first order of diffraction. As is known to the person skilled in the art, this may be determined by the profile shape. In particular, blazed profile shapes may be employed here. The second line grating 8 is similarly provided such that the first order of diffraction realizes the desired deflection toward the entrance pupil 9 of the observer's eye. Both line gratings 6 and 8 are further embodied such that the dispersion errors occurring during diffraction of polychromatic light just compensate each other, it being possible, of course, to effect an optimization to make said

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compensation as complete as possible. This has the advantageous effect that the virtually projected image is presented to the observer without any chromatic errors. Using the line gratings 6 and 8, a very large angle of deflection may be realized, so that the overall design of the deflection optics 4 is very compact.